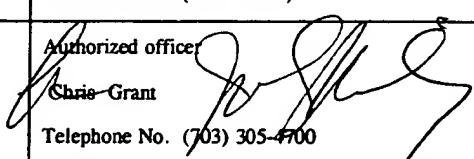


PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference P11861PCT	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/US02/17381	International filing date (<i>day/month/year</i>) 31 May 2002 (31.05.2002)	Priority date (<i>day/month/year</i>) 15 June 2001 (15.06.2001)
International Patent Classification (IPC) or national classification and IPC IPC(7): H04H 9/00; H04N 7/16 and US Cl.: 725/9,14,16		
Applicant INTEL CORPORATION		
<p>1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of <u>3</u> sheets, including this cover sheet.</p> <p><input type="checkbox"/> This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).</p> <p>These annexes consist of a total of <u>—</u> sheets.</p>		
<p>3. This report contains indications relating to the following items:</p> <ul style="list-style-type: none"> I <input checked="" type="checkbox"/> Basis of the report II <input type="checkbox"/> Priority III <input type="checkbox"/> Non-establishment of report with regard to novelty, inventive step and industrial applicability IV <input type="checkbox"/> Lack of unity of invention V <input checked="" type="checkbox"/> Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement VI <input type="checkbox"/> Certain documents cited VII <input type="checkbox"/> Certain defects in the international application VIII <input type="checkbox"/> Certain observations on the international application 		
Date of submission of the demand 31 January 2003 (31.01.2003)	Date of completion of this report 23 March 2005 (23.03.2005)	
Name and mailing address of the IPEA/US Mail Stop PCT, Attn: IPEA/US Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450 Facsimile No. (703) 305-3230	Authorized officer  Chris Grant Telephone No. (703) 305-4700	

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/US02/17381

I. Basis of the report

1. With regard to the elements of the international application:*

- ☒ the international application as originally filed.
- ☒ the description:
pages 1-33 as originally filed
pages NONE, filed with the demand
pages NONE, filed with the letter of _____.
- ☒ the claims:
pages 34-52, as originally filed
pages NONE, as amended (together with any statement) under Article 19
pages NONE, filed with the demand
pages NONE, filed with the letter of _____.
- ☒ the drawings:
pages 1-12, as originally filed
pages NONE, filed with the demand
pages NONE, filed with the letter of _____.
- ☐ the sequence listing part of the description:
pages NONE, as originally filed
pages NONE, filed with the demand
pages NONE, filed with the letter of _____.

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language _____ which is:

- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rules 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in printed form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages NONE
- ☐ the claims, Nos. NONE
- ☐ the drawings, sheets/fig NONE

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17).

** Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.
PCT/US02/17381**V. Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement****1. STATEMENT**

Novelty (N)	Claims <u>NONE</u>	YES
	Claims <u>1-85</u>	NO
Inventive Step (IS)	Claims <u>NONE</u>	YES
	Claims <u>1-85</u>	NO
Industrial Applicability (IA)	Claims <u>1-85</u>	YES
	Claims <u>NONE</u>	NO

2. CITATIONS AND EXPLANATIONS

Claims 1-5, 23-27, 45-49, 64-67 and 71-73 novelty under PCT Article 33(2) as being anticipated by Hendricks et al. (U.S. Patent No. 6,160,989).

Referring to claim 1, Hendricks discloses receiving content descriptors, which describe content, from a server (see Column 7, Lines 15-17, 21-24 and 65-67 and Column 8, Lines 1 and 44-48 for receiving menu data for programming transmitted from the server).

Hendricks also discloses receiving a trigger signal from the server (see Column 17, Lines 39-42 for generating a subscriber's program access history (demand data) status report in response to the server's polling trigger signal (Column 4, Lines 8-15)).

Hendricks also discloses sending feedback to the server in response to the trigger signal (see Column 17, Lines 49-57 for sending the status report from the set top box to the network controller (server)).

Referring to claim 2, Hendricks discloses establishing a connection from the server (see Column 25, Lines 26-38 for the set-top terminal using an upstream communications path to establish a connection and transmit data to a server (network controller)).

Referring to claim 3, Hendricks discloses using a binary exponential back-off system to establish the connection with the server if the connection to the server cannot be established (see Column 28, Lines 19-38 for using telephone modems over telephone lines are connected to the server for providing an alternate route when a first communication path is congested due to an excess of network traffic, therefore providing a binary exponential back-off system).

Referring to claim 4, Hendricks discloses establishing the connection to the server through a back channel (see the rejection of claim 3, for using a telephone line to provide data to the network controller).

Referring to claim 5, see the rejection of claims 3-4.

Referring to claims 23-27, see the rejection of claims 1-5, respectively.

Referring to claims 45-49, see the rejection of claims 1-5, respectively.

Referring to claim 64, see the rejection of claim 1.

Referring to claim 65, Hendricks discloses generating the content descriptors to describe the content prior to sending the content descriptors to a client (see Column 18, Lines 1-45 for modifying the program control signal sent to the client, therefore generating content descriptors before being sent to the client).

Referring to claim 66, Hendricks discloses determining an order to send the content in response to the feedback received from the client (see Column 32, Lines 27-40 for determining which programming and advertisements is preferred most by a client and are sent to a client based on feedback from the client, therefore sending programming and advertisements to a user in a particular order).

Referring to claim 67, see the rejection of claim 66.

Referring to claims 71-73, see the rejection of claims 1 and 3-4, respectively.

----- NEW CITATIONS -----